

Subject: RE: [EXTERNAL]Re: [EXTERNAL]FW: Evidence at DPSH

Date: Tuesday, December 14, 2021 at 4:54:28 PM Eastern Standard Time

From: Philip Hiltner <hiltnerp@detroitmi.gov>

To: Christopher Olson <colson@olsonpllc.mygbiz.com>

Chris,

I will try to keep this to the point, as there are several reasons you are not entitled to the audio recordings.

1. Your requests for production did not specifically ask for that information. Many of your requests were extraordinarily broad when read literally, which is why I objected to the breadth and scope of many of your requests. If you're going to say, for example, your Request #1 was a request for copies of the jail phone calls, you might as well just submit one request for production that says, "Please produce any and all documents at all related to this case." If you specifically wanted the jail phone calls, you had ample time to send a request for them.
2. The only way the phone call would be relevant is if you want to challenge the warrant. But you cannot challenge the warrant in your civil suit. The warrant was already found to be valid in the criminal case. You cannot collaterally attack it in this civil suit.
3. These recordings are protected under the law enforcement investigatory privilege, as the recordings are part of an ongoing homicide investigation.

Philip J. Hiltner
Assistant Corporation Counsel
City of Detroit Law Department
2 Woodward Ave., Ste. 500
Detroit, MI 48226
(313) 237-6390 (office)
(419) 350-4311 (cell)

From: Christopher Olson <colson@olsonpllc.mygbiz.com>

Sent: Tuesday, December 14, 2021 9:25 AM

To: Philip Hiltner <hiltnerp@detroitmi.gov>

Subject: [EXTERNAL]Re: [EXTERNAL]FW: Evidence at DPSH

Phil:

As you know, the call records were specifically identified in Marcus Ways Affidavit in support of both warrants in this case.

Plaintiffs' Requests Nos. 1, 2, 3, 6 and 7 in the attached discovery request cover the call records.

Under circumstances where the Court was ready to award attorneys' fees and costs

against your client in its November 16, 2021 Order Compelling Granting Plaintiffs' Motion To Compel Production, and my agreement to forgo that award, it might be best and most efficient to simply produce the recordings.

Please advise today if you will do so without another Motion.

Sincerely,

CHRISTOPHER S. OLSON
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From: Philip Hiltner <hiltnerp@detroitmi.gov>
Date: Tuesday, December 14, 2021 at 8:50 AM
To: Christopher Olson <colson@olsonpllc.mygbiz.com>
Subject: RE: [EXTERNAL]FW: Evidence at DPSH

Chris,

I don't believe you ever sent a discovery request for those jail recordings.

Philip J. Hiltner
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From: Christopher Olson <colson@olsonpllc.mygbiz.com>
Sent: Monday, December 13, 2021 10:49 AM
To: Philip Hiltner <hiltnerp@detroitmi.gov>
Subject: [EXTERNAL]FW: Evidence at DPSH

Phil: What is the status with producing Wayne County Jail call recordings referenced in paragraph 6 of Defendant Ways' Affidavit? Will you produce that information without a Court Order?

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From: Christopher Olson <colson@olsonpllc.mybiz.com>

Date: Tuesday, December 7, 2021 at 11:10 AM

To: Philip Hiltner <hiltnerp@detroitmi.gov>

Subject: Re: Evidence at DPSH

Thank you! See you then. Please let me know about the phone recordings that we discussed. Thank you again

Sent from my iPhone

On Dec 7, 2021, at 11:08 AM, Philip Hiltner <hiltnerp@detroitmi.gov> wrote:

Hi Chris,

For tomorrow morning, go to the Detroit Public Safety Headquarters through the front entrance. Then go to the third floor and ask for Lt. Robert Lalone. He should be expecting us.

Philip J. Hiltner
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